

Notice of Allowability

Application No.

10/775,713

Examiner

Daborah Chacko-Davis

Applicant(s)

HAWKER ET AL.

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed February 8, 2005.
2. ☒ The allowed claim(s) is/are 1-64.
3. ☒ The drawings filed on 09 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 04/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the specification, on page 1, line 14, after the filing date "March 6, 2002," the phrase --now U. S. Patent No. 6,890,703,-- has been inserted.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Karen Canaan on May 12, 2005.

The application has been amended as follows: Claim 3, at line 2, after the words "with each other", a --,-- has been inserted.

Claim 21, at line 1, before the term "crosslinking density", article --the-- has been deleted.

Claim 24, at line 2, before the term "hydrodynamic", article --the-- has been deleted.

Claim 24, at line 3, after the words "less than", article --the-- has been deleted.

Claim 35, at line 4, after the term "dienophiles", a --,-- has been inserted.

Claim 38, at line 1, before the word "catalyst", article --a-- has been inserted.

Claim 38, at line 2, before the term "functional group", article --a-- has been inserted.

Claim 38, at line 2, before the word "surfactant", article --a-- has been inserted.

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Claim 38, at line 2, before the term "sensor group", article --a-- has been inserted.

Claim 38, after the term "sensor group", a --,-- has been inserted.

Claim 38, at line 2, before the term "photoresponsive unit", article --a-- has been inserted.

Claim 41, at line 1, before the word "catalyst", article --a-- has been inserted.

Claim 41, at line 2, before the term "functional group", article --a-- has been inserted.

Claim 41, at line 2, before the word "surfactant", article --a-- has been inserted.

Claim 41, at line 2, before the term "sensor group", article --a-- has been inserted.

Claim 41, after the term "sensor group", a --,-- has been inserted.

Claim 41, at line 2, before the term "photoresponsive unit", article --a-- has been inserted.

Claim 43, at line 1, before the word "decomposition", article --the-- has been deleted.

Claim 43, at line 2, before the word "decomposition", article --the-- has been deleted.

Claim 49, at line 4, after the term "dienophiles", a --,-- has been inserted.

Claim 52, at line 1, before the term "decomposition", article --the-- has been deleted.

Claim 52, at line 2, after the words "less than", article --the-- has been deleted.

Claim 60, at line 1, after the words "conditions comprise adding", article "the" has been replaced with --a--.

Claim 64, at line 1, before the word "decomposition", article --the-- has been deleted.

Claim 64, at line 2, before the term "decomposition temperature", article --the-- has been deleted.

The preceding amendments were made to make the claims clear and definite.

2. The following is an examiner's statement of reasons for allowance: Claim 1-64, are allowable over the prior art of record (U. S. Patent No. 6,107,357 Hawker et al), and U. S. Patent No. 5,431,790 (Nesburn et al)) because the prior art of record does not disclose that an irreversible intramolecular crosslinking of the polymer molecules occurs to form crosslinked particles.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (571) 272-1380. The examiner can normally be reached on M-F 9:30 - 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F. Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dcd



May 12, 2005.



JOHN A. MCPHERSON
PRIMARY EXAMINER